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SB 1433
RELATING TO AQUARIUM FISH

Senate Committee on
Tourism, Recreation and Transportation

Public Hearing - February 10, 1993
10:00 A.M., Room 405 SOT

By
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James Parrish, Hawaii Cooperative Fishery Research Unit

SB 1433 amends Section 188-31, HRS, to specify the need for a permit prior to collecting aquariuum fish. The measure further prohibits specific acts of environmental degradation undertaken in the course of aquarium fish collection and provides for appropriate rulemaking authority.

Our statement on this bill does not constitute an institutional position of the University of Hawaii.

While we understand the general context of the proposed amendments, we suggest that in many cases, the suggested language is sufficiently awkward that the intent of the law is somewhat compromised. Apparently, substitution of "fish" and "fishing" for "take" and "taking" reflects the intent that it is the process that needs management, not the actual animal collection. However, "fishing...of aquarium fish" (line 12, page 1) is incorrect grammatically. As a suggested alternative, the "pursuit and/or collection" is more linguistically palatable. Similarly, page 2, line 1, we suggest replacing the word "of" with "for".

It appears that all prior references to "nongame" fish are deleted, so this term may be superfluous (line 1, page 3).

With regard to the more substantive issues of the intent to protect the marine environment, we have noted testimony in prior hearings as to the insignificance of this problem compared to damage done to reefs by boat anchors. While we agree that management of anchoring is a serious concern, we suggest that there is a need for management of all aspects of potential reef damage. Damage to coral incidental to taking of aquarium fish is

preventable and, if unchecked can lead to significant areal impacts. It is not necessarily the case that "people who live off the ocean take care of it". We observed the repatriated indigenous Marshallese population of Enewetak Atoll decimate nearshore fishery resources to such an extent that the entire shallow ecosystem was catastrophically altered within six months of their return. Coral reefs are resilient, as we have seen in Kaneohe Bay, but rational management can go a long way towards preventing more catastrophic (and costly) management needs in the future.